

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DAVID MAYFIELD,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 04-1500-JJF
)	
THOMAS CARROLL, FIRST)	
CORRECTIONAL MEDICAL, and)	
DR. ALI,)	
)	
Defendants.)	

ORDER

WHEREAS, plaintiff, David Mayfield, SBI # 260768, is a prisoner incarcerated at the Howard R. Young Correctional Institution in Wilmington, Delaware, and on December 6, 2004, plaintiff filed a complaint under 42 U.S.C. § 1983;

WHEREAS, on December 17, 2004, this Court granted the plaintiff leave to proceed in forma pauperis, assessed \$29.74 as an initial partial filing fee, and ordered the plaintiff to file an authorization form within thirty (30) days from the date the order was sent or the case would be dismissed without prejudice (D.I. 6);


WHEREAS, on February 7, 2005, this Court dismissed the complaint without prejudice because the plaintiff failed to file the required documents (D.I. 14);

WHEREAS, on April 18, 2005, this Court granted the

plaintiff's motion for reconsideration, reassessed the \$29.74 initial partial filing fee, and ordered the plaintiff to file the authorization form within thirty days, or the complaint would be dismissed (D.I. 22);

WHEREAS, on May 13, 2005, the plaintiff filed a motion to voluntarily dismiss his complaint pursuant to Fed. R. Civ. P. 41(a) (D.I. 23);

THEREFORE, at Wilmington this 31 day of May, 2005, IT IS ORDERED that the plaintiff's motion is GRANTED. The plaintiff's complaint shall be DISMISSED WITHOUT PREJUDICE. Plaintiff is not required to pay any previously assessed fees or the \$150.00 filing fee.


United States District Judge